ORDINANCE NO. 2023-04 WEST CONSHOHOCKEN BOROUGH MONTGOMERY COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE BOROUGH OF WEST CONSHOHOCKEN, MONTGOMERY COUNTY, PENNSYLVANIA, ADOPTING THE OFFICIAL MAP OF THE BOROUGH OF WEST CONSHOHOCKEN.

WHEREAS, Article IV of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as reenacted and amended, 53 P.S. § 10401 ("MPC"), authorizes the Borough Council of the Borough of West Conshohocken ("Borough") to make or cause to be made an "Official Map" of all or a portion of the Borough which may show appropriate elements or portions of elements of the Borough Comprehensive Plan with regard to public lands and facilities, and which may include, but need not be limited to existing and proposed public streets, watercourses and public grounds, including widenings, narrowings, extensions, diminutions, openings or closing of same; existing and proposed public parks, playgrounds and open space reservations; pedestrian ways and easements; railroad and transit rights-of-way and easements; flood control basins, floodways and flood plains, stormwater management areas and drainage easements;

WHEREAS, the Borough Code, 8 Pa.C.S.A. §1203, authorizes the Borough Council to make and adopt ordinances not inconsistent with or restrained by the Constitution of Pennsylvania and laws of this Commonwealth as may be expedient or necessary for the proper management, care and control of the Borough and its finances and the maintenance of peace, good government, safety and welfare of the borough and its trade, commerce and manufactures;

WHEREAS, the Borough Council deems it to be in the best interest and the general welfare of the citizens and residents of the Borough to adopt an Official Map of the Borough of West Conshohocken;

WHEREAS, the Borough Council has met the procedural requirements of the MPC for the adoption of the proposed Ordinance, including holding a public hearing.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of West Conshohocken, Montgomery County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same, to wit:

§I. <u>RECITALS</u>.

The recitals are incorporated herein as if set forth in full.

ŞII. LEGISLATIVE INTENT.

Article IV of the MPC authorizes the Borough Council of the Borough of West Conshohocken to adopt an Official Map of the Borough of West Conshohocken designating and reserving areas for future streets, and other municipal facilities.

§III. ADOPTION OF OFFICIAL MAP.

The Borough Council of the Borough of West Conshohocken hereby adopts the Official Map prepared by Pennoni Associates Inc., dated April 10, 2023 and last revised November 22, 2023, attached hereto and incorporated herein as Exhibit "A", as the Official Map of the Borough of West Conshohocken.

§IV. INCORPORATION OF GOVERNING LAW.

The provisions of Article IV of the MPC are hereby incorporated by reference to govern the effect of the adoption of the Official Map, issuance of permits and approvals for land reserved on the Official Map, and all other matters relating to the Official Map.

§V. AMENDMENTS TO OFFICIAL MAP.

Any amendments to the Official Map shall be made in a manner consistent with Article IV of the MPC.

§VI. RECORDING OF OFFICIAL MAP.

The West Conshohocken Borough officials are authorized to take all steps necessary to record the Official Map in the Office of the Recorder of Deeds in and for Montgomery County, Pennsylvania, as required by Section 402(c) of the MPC. The West Conshohocken Borough officials are further authorized to transmit certified copies of the Official Map to those entities required to be provided with such copies by the MPC.

§VII. REVISIONS.

The Borough Council of the Borough of West Conshohocken hereby reserves the right, from time to time, to adopt modifications of, supplements to, or amendments of this Ordinance.

SVIII. REPEALER.

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed, it being understood and intended that all ordinances and the Code of the Borough of West Conshohocken, such as are not otherwise specifically in conflict or inconsistent with this ordinance, shall remain in full force and effect, the same being reaffirmed hereby.

ŞIX. SEVERABILITY.

If any sentence, clause, section, term, phrase or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, terms, provisions, or parts of this Ordinance. It is hereby declared the intent of the Borough Council of the Borough of West Conshohocken that this Ordinance would have been adopted had such an unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not had been included herein.

§X. FAILURE TO ENFORCE NOT A WAIVER.

The failure of the Borough to enforce any provision of this Ordinance shall not constitute a waiver by the Borough of its rights of future enforcement hereunder.

§XI. EFFECTIVE DATE.

This Ordinance shall become effective immediately.

§XII. ENACTMENT.

Under the authority conferred by the Borough Code and other relevant statutory law, the Borough Council of the Borough of West Conshohocken in the County of Montgomery, Commonwealth of Pennsylvania, does hereby enact and ordain this Ordinance to the Code of the Borough of West Conshohocken.

ENACTED AND ORDAINED by the Borough Council of the Borough of West Conshohocken, Montgomery County, Pennsylvania, this 12th day of December, 2023.

ATTEST:

BOROUGH OF WEST CONSHOHOCKEN:

Bv: '

Michael English, Manager

By: Stephen Blumenthal, President

Approved by the Mayor of the Borough of West Conshohocken,

By: Paulle forms

Danelle Fournier, Mayor

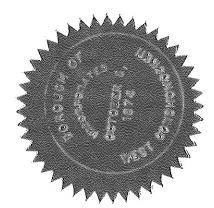
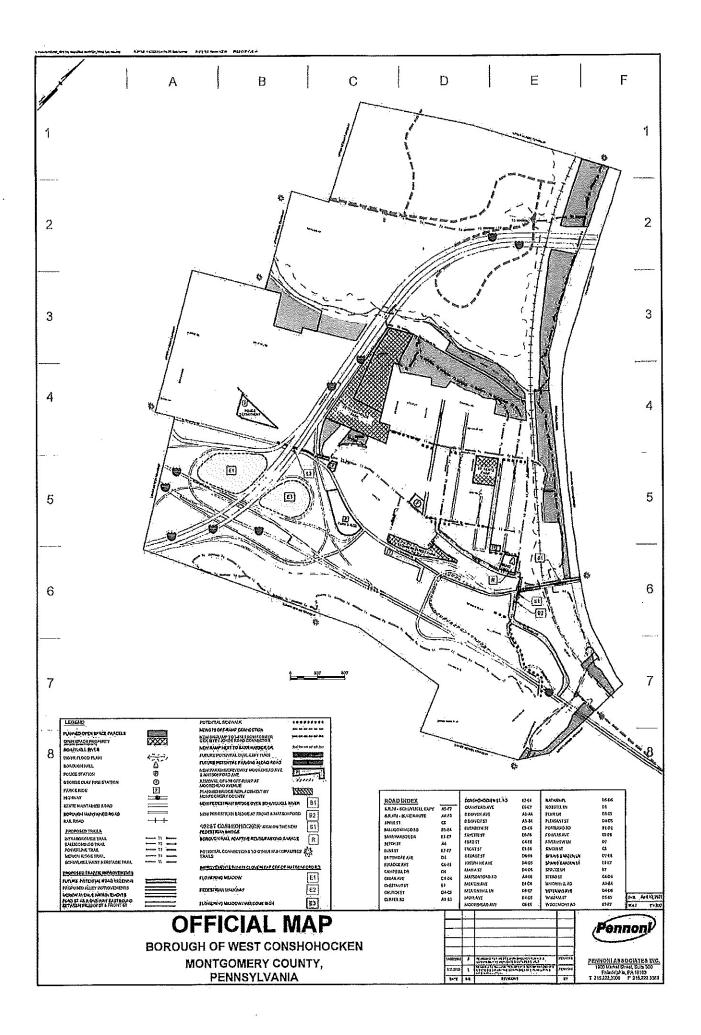


EXHIBIT "A" OFFICIAL MAP



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§VII. REVISIONS.

The Borough Council of the Borough of West Conshohocken hereby reserves the right, from time to time, to adopt modifications of, supplements to, or amendments of this Ordinance.

§VIII. REPEALER.

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed, it being understood and intended that all ordinances and the Code of the Borough of West Conshohocken, such as are not otherwise specifically in conflict or inconsistent with this ordinance, shall remain in full force and effect, the same being reaffirmed hereby.

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If any sentence, clause, section, term, phrase or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, terms, provisions, or parts of this Ordinance. It is hereby declared the intent of the Borough Council of the Borough of West Conshohocken that this Ordinance would have been adopted had such an unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not had been included herein.

§X. FAILURE TO ENFORCE NOT A WAIVER.

The failure of the Borough to enforce any provision of this Ordinance shall not constitute a waiver by the Borough of its rights of future enforcement hereunder.

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Under the authority conferred by the Borough Code and other relevant statutory law, the Borough Council of the Borough of West Conshohocken in the County of Montgomery, Commonwealth of Pennsylvania, does hereby enact and ordain this Ordinance to the Code of the Borough of West Conshohocken.

ENACTED AND ORDAINED by the Borough Council of the Borough of West Conshohocken, Montgomery County, Pennsylvania, this 12th day of December, 2023.

ATTEST:

1

Michael English, Manager

Stephen Rlumenthal, President

BOROUGH OF WEST CONSHOHOCKEN:

this $\frac{Approved}{Approved}$ by the Mayor of the Borough of West Conshohocken, day of $\frac{D}{B}$ $\frac{B}{B}$, 2023.

By: Danelle Fournier, Mayor



EXHIBIT "A"

OFFICIAL MAP

